

EXHIBIT A



Arjun Vasan <arjun.vasan@gmail.com>

RE: Joint 26(f) Report [KLG-AMERICAS.FID3718879]

8 messages

Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>

Tue, Aug 12, 2025 at 2:55 PM

To: Arjun Vasan <arjun.vasan@gmail.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

Mr. Vasan,

We will send you Checkmate's respective sections when they are ready. As to your belated election to prepare and file the joint report, we expect to receive a timely prepared draft joint report for our review in advance of the Court's August 14, 2025 filing deadline.

Thank you,

Rebecca Makitalo

Associate

K&L Gates LLP

[10100 Santa Monica Blvd](#)[8th Floor](#)[Los Angeles, CA 90067](#)

Phone: 310 552-5502

Cell: 818 251-6956

rebecca.makitalo@klgates.comwww.klgates.com

From: Arjun Vasan <arjun.vasan@gmail.com>**Sent:** Tuesday, August 12, 2025 2:30 PM**To:** Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>**Cc:** Keech, Ryan Q. <Ryan.Keech@klgates.com>; Chiu, Stacey G. <Stacey.Chiu@klgates.com>**Subject:** Re: Joint 26(f) Report

Ms. Makitalo,

Thank you for your email. The Court's Scheduling Order provides that where the plaintiff is appearing pro se, defense counsel may draft the joint report **unless the plaintiff prefers to do so**. I hereby elect to file the report. On our 26(f) call, I agreed to a simultaneous exchange so each side had equal time to review; my agreeing to your team filing was expressly conditioned on receiving your draft first and exchanging mine at the same time.

Given your position below, I will proceed consistent with the Order and file Plaintiff's Rule 26(f) report. If you send your sections (two-page statement of the case, proposed dates, and positions on each required topic) by **5:00 p.m. PT today**, I will add your positions to my report.

Regards,

Arjun Vasani

On Tue, Aug 12, 2025 at 2:18 PM Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com> wrote:

We do not agree with your characterization of the Rule 26(f) conference nor any agreed upon simultaneous exchange of drafts. We agreed that you would send your sections on Monday and upon receipt, we would incorporate them into a combined draft and send it to you for review prior to filing. In order to prepare the joint report, we need your sections to finalize it. Please let us know when we can expect to receive your sections.

If you refuse to provide your sections as discussed, we will advise the Court accordingly.

Thank you,

Rebecca Makitalo

Associate

K&L Gates LLP
[10100 Santa Monica Blvd](#)

[8th Floor](#)

[Los Angeles, CA 90067](#)

Phone: 310 552-5502

Cell: 818 251-6956

rebecca.makitalo@klgates.com

www.klgates.com

From: Arjun Vasani <arjun.vasani@gmail.com>

Sent: Tuesday, August 12, 2025 1:17 PM

To: Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>

Cc: Keech, Ryan Q. <Ryan.Keech@klgates.com>; Chiu, Stacey G. <Stacey.Chiu@klgates.com>

Subject: Re: Joint 26(f) Report

Absent confirmation on simultaneous exchange, I will file the report, as is my right as Plaintiff in this case.

Please send your draft whenever you are ready in that case, and I will incorporate it.

Best regards,

Arjun Vasan

On Tue, Aug 12, 2025 at 1:10 PM Arjun Vasan <arjun.vasan@gmail.com> wrote:

Ms. Makitalo,

Per our meet-and-confer, we agreed to simultaneous exchange of our Rule 26(f) sections so neither side is disadvantaged in review. I will send Plaintiff's sections at 5:00 p.m. Pacific today and ask that you send Defendant's sections at the same time.

Proposed logistics to keep us on track for the August 14 deadline:

- **Today (5:00 p.m. PT):** Simultaneous exchange of parties' sections.
- **Tomorrow (10:00 a.m. PT):** Defense circulates a **combined draft** incorporating both sides' positions.
- **Tomorrow (3:00 p.m. PT):** Plaintiff returns redlines/ok to finalize.
- **August 14 (by filing deadline):** Defense files the **joint** report.

For the combined draft, please include Defendant's designation of lead trial counsel for the docket caption.

Please confirm by return email that you agree to the 5:00 p.m. PT simultaneous exchange and the above timetable.

Best regards,

Arjun Vasan

On Tue, Aug 12, 2025 at 12:44 PM Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com> wrote:

Mr. Vasan,

We agreed that you would send your draft on Monday so that we could incorporate your sections into the joint report. We did not receive your draft yesterday, so we did not send a combined joint report. Once we receive your sections, we will prepare the combined draft and send it to you for your review and authorization to file jointly, as you requested.

Please advise when we can expect your sections.

Thank you,

Rebecca Makitalo

Associate
K&L Gates LLP
[10100 Santa Monica Blvd](#)
8th Floor
[Los Angeles, CA 90067](#)
Phone: 310 552-5502
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rebecca.makitalo@klgates.com
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From: Arjun Vasan <arjun.vasan@gmail.com>
Sent: Tuesday, August 12, 2025 12:30:19 PM
To: Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>
Cc: Keech, Ryan Q. <Ryan.Keech@klgates.com>; Chiu, Stacey G. <Stacey.Chiu@klgates.com>
Subject: Re: Joint 26(f) Report

Ms. Makitalo,

As discussed on our August 11 call, you agreed to send Checkmate's draft Joint Rule 26(f) Report on Monday, and I would send my sections upon receipt. I memorialized that understanding in my email yesterday morning.

Please send your draft today by 2:00 p.m. PT. I will turn my sections within 4 hours of receipt so we can meet the Court's August 14 deadline.

If you prefer a simultaneous exchange instead, I'm fine to exchange drafts at 5:00 p.m. PT today.

If I don't receive your draft (or a confirmed simultaneous-exchange time) by the above, I will file my portions in a separate submission, with a brief Rule 26(f)(2) statement describing our meet-and-confer and my ongoing willingness to consolidate upon receipt of your draft.

Best regards,

Arjun Vasan

On Tue, Aug 12, 2025 at 12:19 PM Arjun Vasan <arjun.vasan@gmail.com> wrote:

My notes say, specifically, that I would have my draft ready on Monday, and would exchange it as soon as you sent your draft.

You agreed to that proposition.

Best regards,

Arjun

On Tue, Aug 12, 2025 at 12:15 PM Arjun Vasan <arjun.vasan@gmail.com> wrote:

That's not what i underastood from the call, i said i would have mine ready and would send when you send so that we can review at the same time.

Sent from Gmail Mobile

On Tue, Aug 12, 2025 at 8:34 AM Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com> wrote:

Mr. Vasan,

Pursuant to your request for Checkmate to file the joint report, you were to send your draft sections on Monday for us to incorporate into the joint report. We have not yet received anything from you. Once I receive your sections, I will incorporate and send you a proposed final draft for review so that we can file the report by the Court's August 14, 2025 deadline.

Attached please find Checkmate's draft of the Rule 26(f) joint report and supporting Exhibit A with the proposed schedule. As you are aware, this draft is intended to be incorporated into the joint report that you have elected to prepare and file by August 14, 2025.

We request that you provide us with a copy of the combined Rule 26(f) joint report for our review at your earliest convenience.

Thank you,

Rebecca Makitalo

Associate

K&L Gates LLP
10100 Santa Monica Blvd

8th Floor

Los Angeles, CA 90067

Phone: 310 552-5502

Cell: 818 251-6956

rebecca.makitalo@klgates.com

www.klgates.com

From: Arjun Vasan <arjun.vasan@gmail.com>

Sent: Tuesday, August 12, 2025 6:08 PM

To: Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>

Cc: Keech, Ryan Q. <Ryan.Keech@klgates.com>; Chiu, Stacey G. <Stacey.Chiu@klgates.com>

Subject: Re: Joint 26(f) Report [KLG-AMERICAS.FID3718879]

[Quoted text hidden]

2 attachments



Draft - Joint Rule 26(f) Report.pdf
150K



Exhibit A - Worksheet.pdf
148K

Arjun Vasan <arjun.vasan@gmail.com>

To: "Makitalo, Rebecca I." <Rebecca.Makitalo@klgates.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

Thu, Aug 14, 2025 at 8:35 AM

Ms. Makitalo,

Thank you for sending your drafted report, I will note at 6:45PM last night. As you are aware, I have stated in writing and before that the discovery must be phased, and any discovery related to your counterclaims must wait until after it clears the Rule 12 stage. To be clear, Checkmate explicitly told the SDNY court, in successfully opposing my letter motion to stay that case, that the outcome of this case was entirely irrelevant to whether your claims be tried there.

The logic for phased (i.e. bifurcated) discovery, or staying discovery in your case until after the rule 12 stage, is straightforward. In my view Judge Frimpong will agree. Since several of your sections depend on concurrent discovery, I write to give you an opportunity to update your sections, before I integrate them.

Please also send a word version, and converting from the PDF has proven difficult. I have no way to easily copy your sections into my draft. If you wish to keep your formatting, this is the only way.

Best regards,
Arrun Vasani

[Quoted text hidden]

Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>

Thu, Aug 14, 2025 at 3:01 PM

To: Arjun Vasani <arjun.vasani@gmail.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

You did not express any objection to our proposed ESI format for production at the conference. Please send over the combined draft report for our review, as you indicated your sections were ready to be exchanged on Monday.

Thank you,

Rebecca Makitalo

Associate

K&L Gates LLP
10100 Santa Monica Blvd

8th Floor

Los Angeles, CA 90067

Phone: 310 552-5502

Cell: 818 251-6956

rebecca.makitalo@klgates.com

www.klgates.com

From: Arjun Vasani <arjun.vasani@gmail.com>

Sent: Thursday, August 14, 2025 1:36 PM

To: Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>

Cc: Keech, Ryan Q. <Ryan.Keech@klgates.com>; Chiu, Stacey G. <Stacey.Chiu@klgates.com>

Subject: Re: Joint 26(f) Report

To clarify, I do not stipulate to the following:

The Parties stipulate that all electronically stored information shall be produced with an acceptable load file in .dat, .lfp, or other agreed-upon file type. Each load file shall be accompanied by .tif images with associated text searchable ("OCR") .txt files. Excel spreadsheets shall be produced in native format. All documents shall be Bates labeled in sequential order. All redactions shall be listed on an accompanying privilege log. The Parties' obligations for the production of ESI shall not otherwise extend beyond those imposed by the Federal Rules of Civil Procedure.

I did not take a position on the call.

I do not agree to a TIFF/.dat/.lfp default. Productions must be native-first and pro-se accessible (PDF/CSV/JSON/EML), with a minimal metadata CSV and no proprietary viewers. If you want TIFFs for your own workflow, you can convert on your side; if you insist we convert, you'll need to bear the incremental cost and provide natives where functionality would be lost, plus a CSV field map. We'll propose a short 502(d) order and can exchange sample load sheets to finalize the CSV fields.

Best regards,

Arjun Vasan

On Thu, Aug 14, 2025 at 1:29 PM Arjun Vasan <arjun.vasan@gmail.com> wrote:

If you provide a word document, as I have requested, I will provide a redline, otherwise I will send what I have.

Best regards,

Arjun Vasan

On Thu, Aug 14, 2025 at 1:05 PM Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com> wrote:

We expect to review the combined joint report with any changes made to the mutually agreed-upon sections noted in redline. Once we have reviewed the combined joint report, we will send a revised version back to you. If no further changes are made, we ask that you finalize this version and return it to us for further review and approval before proceeding with your elected filing.

Thank you,

Rebecca Makitalo

Associate

K&L Gates LLP
[10100 Santa Monica Blvd](#)

[8th Floor](#)

[Los Angeles, CA 90067](#)

Phone: 310 552-5502

Cell: 818 251-6956

rebecca.makitalo@klgates.com

Rebecca Makitalo

Associate

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10100 Santa Monica Blvd

8th Floor

Los Angeles, CA 90067

Phone: 310 552-5502

Cell: 818 251-6956

rebecca.makitalo@klgates.com

www.klgates.com

From: Arjun Vasan <arjun.vasan@gmail.com>

Sent: Thursday, August 14, 2025 11:03 AM

To: Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>

Cc: Keech, Ryan Q. <Ryan.Keech@klgates.com>; Chiu, Stacey G. <Stacey.Chiu@klgates.com>

Subject: Re: Joint 26(f) Report

Ms. Makitalo,

Please send a Word version of the document, otherwise my only option is to file it as an attachment. I am unable to copy your formatting from the PDF.

Best regards,

Arjun Vasan

On Thu, Aug 14, 2025 at 11:01 AM Arjun Vasan <arjun.vasan@gmail.com> wrote:

Ms. Makitalo,

I understand you don't agree. This is why there should be a Plaintiff's Position, and a Defendant's Position. You have worded it as "the parties agree".

That is not true.

Best regards,

I will use your caption page and signature page. The only changes made to Checkmate's positions are to clarify that the "Parties" did not agree or stipulate where there is no current agreement. These sections are highlighted.

Best regards,
Arjun Vasan
[Quoted text hidden]

Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>

Thu, Aug 14, 2025 at 4:02 PM

To: Arjun Vasan <arjun.vasan@gmail.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

The combined draft you sent is currently in PDF format. In order for Checkmate to make its necessary revisions to the combined draft, we require the document in Word format. Please provide the Word version.

Furthermore, your positions as stated in the report, particularly concerning the phasing of discovery, the format for electronically stored information (ESI), inadvertent production, and the need for the manual for complex litigation, are inconsistent with the positions and agreements you stated during the scheduling conference. These discrepancies will be duly noted.

Thank you,

Rebecca Makitalo

Associate

K&L Gates LLP
10100 Santa Monica Blvd

8th Floor

Los Angeles, CA 90067

Phone: 310 552-5502

Cell: 818 251-6956

rebecca.makitalo@klgates.com

www.klgates.com

From: Arjun Vasan <arjun.vasan@gmail.com>

Sent: Thursday, August 14, 2025 3:29 PM

To: Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>

Cc: Keech, Ryan Q. <Ryan.Keech@klgates.com>; Chiu, Stacey G. <Stacey.Chiu@klgates.com>

Subject: Re: Joint 26(f) Report [KLG-AMERICAS.FID3718879]

[Quoted text hidden]

Arjun Vasan <arjun.vasan@gmail.com>

Thu, Aug 14, 2025 at 4:21 PM

To: "Makitalo, Rebecca I." <Rebecca.Makitalo@klgates.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey C." <Stacey.Chiu@klgates.com>
ID #: 2828

Ms. Makitalo,

Your position on Word documents is inconsistent with the position on Word documents you stated via email over the last few hours, requiring me to spend an extra hour copying and attempting to format your PDF. You expressly refused to send me a Word document despite multiple requests. This inconsistency will be duly noted.

I did not agree to forgo phasing. My position has been consistent. Very specifically on the call, I stated that I was unaware Checkmate planned to move forward with its counterclaim discovery, and would have to review that point. Previously I had, several times, in writing, and in a meet and confer, stated that I would move to bifurcate your counterclaims from mine, potentially bucketing my fraud claims against Checkmate in the latter bucket.

Nor did I agree to anything about privilege. Indeed I expressly disagreed with your assertions of privilege over pre-closing communications. I further noted that I would assert privilege over communications with the Holder Representative, Robert Nessler. There was no agreement on privilege, and your attempt to generate one is disingenuous.

With regards to complex litigation, I only agreed that I don't need the case "designated complex" to rely on MCL 4th tools; they're persuasive case-management guidance consistent with Rules 1, 16, 26, 30, 45.

I reiterate that I elect to file the joint report, as is my right as Plaintiff. Please confirm you will not attempt to file the report unilaterally. Please send any changes you wish to make, and I will revert with the PDF version, unless you send a Word version to me of your original draft.

Best regards,
Arjun Vasan
[Quoted text hidden]



Arjun Vasan <arjun.vasan@gmail.com>

Joint 26(f) Report

26 messages

Arjun Vasan <arjun.vasan@gmail.com>

Tue, Aug 12, 2025 at 4:57 AM

To: "Makitalo, Rebecca I." <Rebecca.Makitalo@klgates.com>, "Keech, Ryan Q." <ryan.keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

Counsel,

You indicated on the call that you would send the Rule 26(f) draft joint report to me by yesterday, August 11, 2025. I note that you did not do so.

Best regards

Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>

Tue, Aug 12, 2025 at 8:34 AM

To: Arjun Vasan <arjun.vasan@gmail.com>, "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

Mr. Vasan,

Pursuant to your request for Checkmate to file the joint report, you were to send your draft sections on Monday for us to incorporate into the joint report. We have not yet received anything from you. Once I receive your sections, I will incorporate and send you a proposed final draft for review so that we can file the report by the Court's August 14, 2025 deadline.

Please confirm that you will be sending your sections promptly.

Thank you,

Rebecca Makitalo

Associate

K&L Gates LLP

10100 Santa Monica Blvd

8th Floor

Los Angeles, CA 90067

Phone: 310 552-5502

Cell: 818 251-6956

rebecca.makitalo@klgates.comwww.klgates.com

From: Arjun Vasan <arjun.vasan@gmail.com>**Sent:** Tuesday, August 12, 2025 4:57 AM**To:** Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>; Keech, Ryan Q. <Ryan.Keech@klgates.com>; Chiu, Stacey G. <Stacey.Chiu@klgates.com>**Subject:** Joint 26(f) Report

This Message Is From an External Sender

This message came from outside your organization. Counsel,

You indicated on the call that you would send the Rule 26(f) draft joint report to me by yesterday, August 11, 2025. I note that you did not do so.

Best regards

This electronic message contains information from the law firm of K&L Gates LLP. The contents may be privileged and confidential and are intended for the use of the intended addressee(s) only. If you are not an intended addressee, note that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you have received this e-mail in error, please contact me at Rebecca.Makitalo@klgates.com. —

Arjun Vasan <arjun.vasan@gmail.com>

Tue, Aug 12, 2025 at 12:15 PM

To: "Makitalo, Rebecca I." <Rebecca.Makitalo@klgates.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

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Sent from Gmail Mobile

[Quoted text hidden]

Arjun Vasan <arjun.vasan@gmail.com>

Tue, Aug 12, 2025 at 12:19 PM

To: "Makitalo, Rebecca I." <Rebecca.Makitalo@klgates.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

My notes say, specifically, that I would have my draft ready on Monday, and would exchange it as soon as you sent your draft.

You agreed to that proposition.

Best regards,

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Ms. Makitalo,

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Please send your draft today by 2:00 p.m. PT. I will turn my sections within 4 hours of receipt so we can meet the Court's August 14 deadline.

If you prefer a simultaneous exchange instead, I'm fine to exchange drafts at 5:00 p.m. PT today.

If I don't receive your draft (or a confirmed simultaneous-exchange time) by the above, I will file my portions in a separate submission, with a brief Rule 26(f)(2) statement describing our meet-and-confer and my ongoing willingness to consolidate upon receipt of your draft.

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Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

August 7th I mean.

[Quoted text hidden]

Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>

Tue, Aug 12, 2025 at 12:44 PM

To: Arjun Vasan <arjun.vasan@gmail.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>
ID #: 2831

Mr. Vasan,

We agreed that you would send your draft on Monday so that we could incorporate your sections into the joint report. We did not receive your draft yesterday, so we did not send a combined joint report. Once we receive your sections, we will prepare the combined draft and send it to you for your review and authorization to file jointly, as you requested.

Please advise when we can expect your sections.

Thank you,

Rebecca Makitalo

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- **Today (5:00 p.m. PT):** Simultaneous exchange of parties' sections.
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- **August 14 (by filing deadline):** Defense files the **joint** report.

For the combined draft, please include Defendant's designation of lead trial counsel for the docket caption.

Please confirm by return email that you agree to the 5:00 p.m. PT simultaneous exchange and the above timetable.

Best regards,

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Arjun Vasan <arjun.vasan@gmail.com>

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Absent confirmation on simultaneous exchange, I will file the report, as is my right as Plaintiff in this case.

Please send your draft whenever you are ready in that case, and I will incorporate it.

Best regards,
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Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>

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Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

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Subject: Re: Joint 26(f) Report

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Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

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Regards,

Arjun Vasan

[Quoted text hidden]

Arjun Vasan <arjun.vasan@gmail.com>

Tue, Aug 12, 2025 at 2:55 PM

To: "Makitalo, Rebecca I." <Rebecca.Makitalo@klgates.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

Further, upon receipt of your draft, as a show of good faith, I will promptly reply with my draft, consistent with what I stated on the call. During most of that call, I indicated my preference to file the report myself, and I only agreed to Checkmate filing after understanding that you would send me your draft first, I would then exchange mine, and you would provide a combined draft for timely review.

My draft is ready. However, for you to review mine without my receiving yours — and without any commitment as to when I would receive the joint draft for review — would be unfairly prejudicial. I am offering an equitable solution that ensures both parties have equal opportunity to review.

Should you decline to participate, that will be noted in my report.

Best Regards,
Arjun Vasan

[Quoted text hidden]

Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>

Thu, Aug 14, 2025 at 9:34 AM

To: Arjun Vasan <arjun.vasan@gmail.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

Mr. Vasan,

We do not agree with your position that discovery should be phased. We request that you incorporate the text of our current draft into the combined Rule 26(f) joint report you are preparing and send for our review and revisions.

Thank you,

Rebecca Makitalo

Associate

K&L Gates LLP
10100 Santa Monica Blvd

8th Floor

Los Angeles, CA 90067

Phone: 310 552-5502

Cell: 818 251-6956

rebecca.makitalo@klgates.com

www.klgates.com

From: Arjun Vasan <arjun.vasan@gmail.com>

Sent: Thursday, August 14, 2025 8:36 AM

To: Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>

Cc: Keech, Ryan Q. <Ryan.Keech@klgates.com>; Chiu, Stacey G. <Stacey.Chiu@klgates.com>

Subject: Re: Joint 26(f) Report [KLG-AMERICAS.FID3718879]

Ms. Makitalo,

Thank you for sending your drafted report, I will note at 6:45PM last night. As you are aware, I have stated in writing and before that the discovery must be phased, and any discovery related to your counterclaims must wait until after it clears the Rule 12 stage. To be clear, Checkmate explicitly told the SDNY court, in successfully opposing my letter motion to stay that case, that the outcome of this case was entirely irrelevant to whether your claims be tried there.

The logic for phased (i.e. bifurcated) discovery, or staying discovery in your case until after the rule 12 stage, is straightforward. In my view Judge Frimpong will agree. Since several of your sections depend on concurrent discovery, I write to give you an opportunity to update your sections, before I integrate them.

Please also send a word version, and converting from the PDF has proven difficult. I have no way to easily copy your sections into my draft. If you wish to keep your formatting, this is the only way.

Best regards,

Arrun Vasan

On Wed, Aug 13, 2025 at 6:45 PM Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com> wrote:

Mr. Vasan,

Rebecca Makitalo

Associate

K&L Gates LLP
10100 Santa Monica Blvd

8th Floor

Los Angeles, CA 90067

Phone: 310 552-5502

Cell: 818 251-6956

rebecca.makitalo@klgates.comwww.klgates.com

From: Arjun Vasan <arjun.vasan@gmail.com>**Sent:** Tuesday, August 12, 2025 2:30 PM**To:** Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>**Cc:** Keech, Ryan Q. <Ryan.Keech@klgates.com>; Chiu, Stacey G. <Stacey.Chiu@klgates.com>**Subject:** Re: Joint 26(f) Report

[Quoted text hidden]

Arjun Vasan <arjun.vasan@gmail.com>

Thu, Aug 14, 2025 at 11:01 AM

To: "Makitalo, Rebecca I." <Rebecca.Makitalo@klgates.com>Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

Ms. Makitalo,

I understand you don't agree. This is why there should be a Plaintiff's Position, and a Defendant's Position. You have worded it as "the parties agree".

That is not true.

Best regards,

Arjun Vasan

[Quoted text hidden]

Arjun Vasan <arjun.vasan@gmail.com>

Thu, Aug 14, 2025 at 11:03 AM

To: "Makitalo, Rebecca I." <Rebecca.Makitalo@klgates.com>Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

Ms. Makitalo,

Please send a Word version of the document, otherwise my only option is to file it as an attachment. I am unable to copy your formatting from the PDF.

Best regards,
Arjun Vasan
[Quoted text hidden]

Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>

Thu, Aug 14, 2025 at 11:28 AM

To: Arjun Vasan <arjun.vasan@gmail.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

Mr. Vasan,

During our discussion, it was agreed that there is no need to phase discovery at this time. As I indicated in response to your assertion that the Rule 26(f) conference was only to discuss your claims, the purpose of the Rule 26(f) conference is to address claims, counterclaims and defenses, as outlined in the Court's Order, which specifies that the joint report should cover "the basis for any claims, counterclaims, or defenses" and "[a] list of parties, percipient witnesses, and key documents with respect to the main issues in the case."

If your position on the need to phase discovery has changed you can state this in your respective section of the combines joint report, which I have yet to receive from you. There is no need to maintain Checkmate's formatting in the combined joint report. If you do not have the capabilities to copy and paste our text into a combined draft, you should not have insisted on preparing the joint report, as I offered to do so.

Please provide confirmation you will be sending the combined joint report shortly.

Thank you,

Rebecca Makitalo

Associate

K&L Gates LLP
10100 Santa Monica Blvd

8th Floor

Los Angeles, CA 90067

Phone: 310 552-5502

Cell: 818 251-6956

rebecca.makitalo@klgates.com

www.klgates.com

From: Arjun Vasan <arjun.vasan@gmail.com>

Sent: Thursday, August 14, 2025 11:03 AM

To: Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com> ID #2837

Cc: Keech, Ryan Q. <Ryan.Keech@klgates.com>; Chiu, Stacey G. <Stacey.Chiu@klgates.com>

Subject: Re: Joint 26(f) Report

[Quoted text hidden]

Arjun Vasan <arjun.vasan@gmail.com>

Thu, Aug 14, 2025 at 12:40 PM

To: "Makitalo, Rebecca I." <Rebecca.Makitalo@klgates.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

Ms. Makitalo,

I was clear I would have to look into certain aspects as I was just discharged from medical treatment, and was not aware that the counterclaims would be addressed in discovery. Your statement "no need to phase discovery" was prior to my statement regarding this point. Subsequently, in writing, and prior to your draft, I informed you that I would be seeking a bifurcation of discovery, and earlier (on July 17th, I had discussed full bifurcation).

I will send the joint report shortly, with Checkmate's positions included verbatim, and any joint sections where there is disagreement modified to include Plaintiff and Defendant positions. but I will need confirmation that you will send it back to me for final filing via CM/ECF, and that Checkmate will not file the report on its own.

Best regards,
Arjun Vasan

[Quoted text hidden]

Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>

Thu, Aug 14, 2025 at 1:05 PM

To: Arjun Vasan <arjun.vasan@gmail.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

We expect to review the combined joint report with any changes made to the mutually agreed-upon sections noted in redline. Once we have reviewed the combined joint report, we will send a revised version back to you. If no further changes are made, we ask that you finalize this version and return it to us for further review and approval before proceeding with your elected filing.

Thank you,

Rebecca Makitalo

Associate

K&L Gates LLP
10100 Santa Monica Blvd

8th Floor

Los Angeles, CA 90067

Phone: 310 552-5502

Cell: 818 251-6956

rebecca.makitalo@klgates.com

www.klgates.com

From: Arjun Vasana <arjun.vasana@gmail.com>
Sent: Thursday, August 14, 2025 12:41 PM
To: Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>
Cc: Keech, Ryan Q. <Ryan.Keech@klgates.com>; Chiu, Stacey G. <Stacey.Chiu@klgates.com>
Subject: Re: Joint 26(f) Report

[Quoted text hidden]

Arjun Vasana <arjun.vasana@gmail.com> Thu, Aug 14, 2025 at 1:29 PM
To: "Makitalo, Rebecca I." <Rebecca.Makitalo@klgates.com>
Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

If you provide a word document, as I have requested, I will provide a redline, otherwise I will send what I have.

Best regards,
Arjun Vasana

[Quoted text hidden]

Arjun Vasana <arjun.vasana@gmail.com> Thu, Aug 14, 2025 at 1:36 PM
To: "Makitalo, Rebecca I." <Rebecca.Makitalo@klgates.com>
Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

To clarify, I do not stipulate to the following:

The Parties stipulate that all electronically stored information shall be produced with an acceptable load file in .dat, .lfp, or other agreed-upon file type. Each load file shall be accompanied by .tif images with associated text searchable ("OCR") .txt files. Excel spreadsheets shall be produced in native format. All documents shall be Bates labeled in sequential order. All redactions shall be listed on an accompanying privilege log. The Parties' obligations for the production of ESI shall not otherwise extend beyond those imposed by the Federal Rules of Civil Procedure.

I did not take a position on the call.

I do not agree to a TIFF/.dat/.lfp default. Productions must be native-first and pro-se accessible (PDF/CSV/JSON/EML), with a minimal metadata CSV and no proprietary viewers. If you want TIFFs for your own workflow, you can convert on your side; if you insist we convert, you'll need to bear the incremental cost and provide natives where functionality would be lost, plus a CSV field map. We'll propose a short 502(d) order and can exchange sample load sheets to finalize the CSV fields.

Best regards,
Arjun Vasana
[Quoted text hidden]

Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com> Thu, Aug 14, 2025 at 1:38 PM
To: Arjun Vasana <arjun.vasana@gmail.com>
Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

Please highlight or otherwise indicate any revised sections.

Thank you,

Rebecca Makitalo

Associate

K&L Gates LLP
10100 Santa Monica Blvd

8th Floor

Los Angeles, CA 90067

Phone: 310 552-5502

Cell: 818 251-6956

rebecca.makitalo@klgates.com

www.klgates.com

From: Arjun Vasan <arjun.vasan@gmail.com>

Sent: Thursday, August 14, 2025 1:29 PM

To: Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>

Cc: Keech, Ryan Q. <Ryan.Keech@klgates.com>; Chiu, Stacey G. <Stacey.Chiu@klgates.com>

Subject: Re: Joint 26(f) Report

[Quoted text hidden]

Arjun Vasan <arjun.vasan@gmail.com>

Thu, Aug 14, 2025 at 3:05 PM

To: "Makitalo, Rebecca I." <Rebecca.Makitalo@klgates.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

See attached draft. I left your signature block out, because In the final PDF, i will attach your page as is, as the signature block.

[Quoted text hidden]

 **joint-report.pdf**
301K

Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>

Thu, Aug 14, 2025 at 4:37 PM

To: Arjun Vasan <arjun.vasan@gmail.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

Mr. Vasan,

You insisted on the preparation and filing of the combined joint Rule 26(f) report, which requires ongoing revisions and approval from both parties. Checkmate sent you its respective sections and the mutually agreed upon sections for your insert into the combined report, which did not necessitate access to a word document. Further, Checkmate offered to prepare the combined joint report; however, you refused to send your respective sections as you previously agreed.

Please send a draft in Word format of the combined joint Rule 26(f) report for Checkmate's revisions.

Rebecca Makitalo

Associate

K&L Gates LLP
10100 Santa Monica Blvd

8th Floor

Los Angeles, CA 90067

Phone: 310 552-5502

Cell: 818 251-6956

rebecca.makitalo@klgates.com

www.klgates.com

From: Arjun Vasan <arjun.vasan@gmail.com>
Sent: Thursday, August 14, 2025 4:21 PM
To: Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>
Cc: Keech, Ryan Q. <Ryan.Keech@klgates.com>; Chiu, Stacey G. <Stacey.Chiu@klgates.com>
Subject: Re: Joint 26(f) Report [KLG-AMERICAS.FID3718879]

Ms. Makitalo,

Your position on Word documents is inconsistent with the position on Word documents you stated via email over the last few hours, requiring me to spend an extra hour copying and attempting to format your PDF. You expressly refused to send me a Word document despite multiple requests. This inconsistency will be duly noted.

I did not agree to forgo phasing. My position has been consistent. Very specifically on the call, I stated that I was unaware Checkmate planned to move forward with its counterclaim discovery, and would have to review that point. Previously I had, several times, in writing, and in a meet and confer, stated that I would move to bifurcate your counterclaims from mine, potentially bucketing my fraud claims against Checkmate in the latter bucket.

Nor did I agree to anything about privilege. Indeed I expressly disagreed with your assertions of privilege over pre-closing communications. I further noted that I would assert privilege over communications with the Holder Representative, Robert Nessler. There was no agreement on privilege, and your attempt to generate one is disingenuous.

With regards to complex litigation, I only agreed that I don't need the case "designated complex" to rely on MCL 4th tools; they're persuasive case-management guidance consistent with Rules 1, 16, 26, 30, 45.

I reiterate that I elect to file the joint report, as is my right as Plaintiff. Please confirm you will not attempt to file the report unilaterally. Please send any changes you wish to make, and I will revert with the PDF version, unless you send a Word

Best regards,

Arjun Vasan

On Thu, Aug 14, 2025 at 4:02 PM Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com> wrote:

The combined draft you sent is currently in PDF format. In order for Checkmate to make its necessary revisions to the combined draft, we require the document in Word format. Please provide the Word version.

Furthermore, your positions as stated in the report, particularly concerning the phasing of discovery, the format for electronically stored information (ESI), inadvertent production, and the need for the manual for complex litigation, are inconsistent with the positions and agreements you stated during the scheduling conference. These discrepancies will be duly noted.

Thank you,

Rebecca Makitalo

Associate

K&L Gates LLP
10100 Santa Monica Blvd

8th Floor

Los Angeles, CA 90067

Phone: 310 552-5502

Cell: 818 251-6956

rebecca.makitalo@klgates.com

www.klgates.com

From: Arjun Vasan <arjun.vasan@gmail.com>

Sent: Thursday, August 14, 2025 3:29 PM

To: Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>

Cc: Keech, Ryan Q. <Ryan.Keech@klgates.com>; Chiu, Stacey G. <Stacey.Chiu@klgates.com>

Subject: Re: Joint 26(f) Report [KLG-AMERICAS.FID3718879]

It is sent. I didn't take a position on ESI. You just listed several terms, which I had to review.

Neither did I take a position on privilege "clawbacks" and so forth. Any waived privilege prior to this litigation remains waived.

I will use your caption page and signature page. The only changes made to Checkmate's positions are to clarify that the "Parties" did not agree or stipulate where there is no current agreement. These sections are highlighted.

Best regards,

Arjun Vasan

On Thu, Aug 14, 2025 at 3:01 PM Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com> wrote:

You did not express any objection to our proposed ESI format for production at the conference. Please send over the combined draft report for our review, as you indicated your sections were ready to be exchanged on Monday.

Thank you,

Rebecca Makitalo

Associate

K&L Gates LLP
[10100 Santa Monica Blvd](#)

[8th Floor](#)

[Los Angeles, CA 90067](#)

Phone: 310 552-5502

Cell: 818 251-6956

rebecca.makitalo@klgates.com

www.klgates.com

From: Arjun Vasan <arjun.vasan@gmail.com>

Sent: Thursday, August 14, 2025 1:36 PM

To: Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>

Cc: Keech, Ryan Q. <Ryan.Keech@klgates.com>; Chiu, Stacey G. <Stacey.Chiu@klgates.com>

Subject: Re: Joint 26(f) Report

[Quoted text hidden]

Arjun Vasan <arjun.vasan@gmail.com>

Thu, Aug 14, 2025 at 5:17 PM

To: "Makitalo, Rebecca I." <Rebecca.Makitalo@klgates.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

This is inaccurate. I did not refuse, I said I was offering a simultaneous exchange for equitable reasons, consistent with my understanding on the call. You refused.

Now you keep switching between email threads, attempting to manufacture "evidence" of me being uncooperative. I do not agree to anything I did not state in writing.

I think it is best that I file your version as an attachment. Please send your final version and I will file the report with it attached as exhibit A.

I reiterate that I elect to file the report. If you unilaterally file, I will submit a declaration and attach both email threads for the court's consideration.

Best regards,
Arjun Vasan

[Quoted text hidden]

Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>

Thu, Aug 14, 2025 at 6:21 PM

To: Arjun Vasan <arjun.vasan@gmail.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

The purpose of the joint report is for the parties to "in good faith" agree on a joint discovery plan for submission to the court. Checkmate sent its sections and the mutually agreed-upon sections for your review and incorporation into the combined joint report, which you elected to prepare and file as of Monday. Checkmate reiterates its request for you to provide a Word document of the combined joint report to make its necessary revisions. Given the nature of this simple task, it should not pose any difficulty.

Should you refuse, Checkmate will inform the court of your refusal to cooperate and your bad faith in this matter.

Thank you,

Rebecca Makitalo

Associate

K&L Gates LLP
10100 Santa Monica Blvd

8th Floor

Los Angeles, CA 90067

Phone: 310 552-5502

Cell: 818 251-6956

rebecca.makitalo@klgates.com

www.klgates.com

From: Arjun Vasan <arjun.vasan@gmail.com>

Sent: Thursday, August 14, 2025 5:18 PM

To: Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>

Cc: Keech, Ryan Q. <Ryan.Keech@klgates.com>; Chiu, Stacey G. <Stacey.Chiu@klgates.com>

Subject: Re: Joint 26(f) Report

[Quoted text hidden]

Arjun Vasan <arjun.vasan@gmail.com>

Thu, Aug 14, 2025 at 6:25 PM

To: "Makitalo, Rebecca I." <Rebecca.Makitalo@klgates.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

Ms. Makalito,

I have sent the Word document. I will note, when I file the report, that Checkmate refused to provide a Word document when I asked, requiring me to spend now two hours copy-pasting from your PDFs. Please revert with any changes by 7:30PM, thank you.

Best regards,

Arjun Vasan

[Quoted text hidden]



Arjun Vasan <arjun.vasan@gmail.com>

RE: Joint Rule 26(f) — Word draft attached for redline; return by 6:30 pm PT [KLG-AMERICAS.FID3718879]

15 messages

Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>

Thu, Aug 14, 2025 at 8:34 PM

To: Arjun Vasan <arjun.vasan@gmail.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

Mr. Vasan,

Please find attached a revised draft of the Joint Rule 26(f) Report. If you have any further revisions, please send in redline for our review. Otherwise, please finalize and send back the final version in PDF for our approval to file.

Thank you,

Rebecca Makitalo

Associate

K&L Gates LLP
10100 Santa Monica Blvd

8th Floor

Los Angeles, CA 90067

Phone: 310 552-5502

Cell: 818 251-6956

rebecca.makitalo@klgates.comwww.klgates.com

From: Makitalo, Rebecca I.**Sent:** Thursday, August 14, 2025 7:18 PM**To:** Arjun Vasan <arjun.vasan@gmail.com>**Cc:** Keech, Ryan Q. <Ryan.Keech@klgates.com>; Chiu, Stacey G. <Stacey.Chiu@klgates.com>**Subject:** RE: Joint Rule 26(f) — Word draft attached for redline; return by 6:30 pm PT

I will aim to have a draft back to you before 9pm.

Thank you,

Rebecca Makitalo

Associate

K&L Gates LLP
10100 Santa Monica Blvd

8th Floor

Los Angeles, CA 90067

Phone: 310 552-5502

Cell: 818 251-6956

rebecca.makitalo@klgates.comwww.klgates.com

From: Arjun Vasani <arjun.vasani@gmail.com>**Sent:** Thursday, August 14, 2025 7:13 PM**To:** Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>**Cc:** Keech, Ryan Q. <Ryan.Keech@klgates.com>; Chiu, Stacey G. <Stacey.Chiu@klgates.com>**Subject:** Re: Joint Rule 26(f) — Word draft attached for redline; return by 6:30 pm PT

Can you please provide an estimated time, as the report is due tonight.

Best regards,

Arjun Vasani

On Thu, Aug 14, 2025 at 7:11 PM Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com> wrote:

As I have already stated, I will do my best to return the draft as soon as possible. However, your expectation for a one-hour turnaround will unlikely be met. I appreciate your understanding.

Thank you,

Rebecca Makitalo

Associate

K&L Gates LLP
10100 Santa Monica Blvd

8th Floor

Los Angeles, CA 90067

Phone: 310 552-5502

Counsel,

Attached is the Word (.docx) combined draft with your sections inserted verbatim and labeled Defendant's Position. The document is set to Track Changes. Please return a redline by 6:30 pm PT.

- Do not edit text labeled "Plaintiff's Position." If you disagree, edit your "Defendant's Position."
- Only mark "Joint" where we both confirm agreement in writing.
- If no redline arrives by 7:30 pm PT, I will file my PDF with Exhibit A (your PDF), the relevant email threads and note that you elected not to provide edits in time.

For clarity: I did not agree to waive phasing, to adopt TIFF/.dat/.lfp defaults, to a clawback that revives pre-suit waivers, or to declare the MCL "unnecessary." The report will reflect split positions on those points.

Best,

Arjun

This electronic message contains information from the law firm of K&L Gates LLP. The contents may be privileged and confidential and are intended for the use of the intended addressee(s) only. If you are not an intended addressee, note that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you have received this e-mail in error, please contact me at

Rebecca.Makitalo@klgates.com.

 **26f-joint-report - K&L Edits 8.14.25.docx**
60K

Arjun Vasan <arjun.vasan@gmail.com>

Thu, Aug 14, 2025 at 8:50 PM

To: "Makitalo, Rebecca I." <Rebecca.Makitalo@klgates.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

Thank you, please see attached. If this looks good, I will file it upon my return before midnight.

Best regards,

Arjun Vasan

[Quoted text hidden]

 **26f-joint-report - K&L Edits 8.14.25 - AV Re-Edits.docx**
61K

Arjun Vasan <arjun.vasan@gmail.com>

Thu, Aug 14, 2025 at 8:51 PM

To: "Makitalo, Rebecca I." <Rebecca.Makitalo@klgates.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

I mean, once you confirm, and update your signature block.

Best

[Quoted text hidden]

Arjun Vasan <arjun.vasan@gmail.com>

Thu, Aug 14, 2025 at 9:05 PM

To: "Makitalo, Rebecca I." <Rebecca.Makitalo@klgates.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

Counsel,

Withdraw or hold in abeyance the subpoena to Vasan Varadarajan until the Rule 16 Scheduling Conference sets phasing. He is a nonparty family member with, at most, limited Phase-1 relevance. Under Rules 26(b)(1), 26(b)(2)(C), and 45(d)(1),

[Quoted text hidden]

Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>

Thu, Aug 14, 2025 at 10:42 PM

To: Arjun Vasan <arjun.vasan@gmail.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

Understood. Please send final copies of all documents prior to filing.

Thank you,

Rebecca Makitalo

Associate

K&L Gates LLP

10100 Santa Monica Blvd

8th Floor

Los Angeles, CA 90067

Phone: 310 552-5502

Cell: 818 251-6956

rebecca.makitalo@klgates.com

www.klgates.com

From: Arjun Vasan <arjun.vasan@gmail.com>

Sent: Thursday, August 14, 2025 10:39:06 PM

To: Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>

Cc: Keech, Ryan Q. <Ryan.Keech@klgates.com>; Chiu, Stacey G. <Stacey.Chiu@klgates.com>

Subject: Re: Joint Rule 26(f) — Word draft attached for redline; return by 6:30 pm PT [KLG-AMERICAS.FID3718879]

[Quoted text hidden]

Arjun Vasan <arjun.vasan@gmail.com>

Thu, Aug 14, 2025 at 10:54 PM

To: "Makitalo, Rebecca I." <Rebecca.Makitalo@klgates.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

Attached.

[Quoted text hidden]

2 attachments



26f-joint-report.pdf

337K



scheduling-worksheets-flat.pdf

261K

Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>

Thu, Aug 14, 2025 at 11:07 PM

To: Arjun Vasan <arjun.vasan@gmail.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

Ok to proceed with filing.

Thank you,

Rebecca Makitalo

Associate

K&L Gates LLP

10100 Santa Monica Blvd

8th Floor

Los Angeles, CA 90067



Arjun Vasan <arjun.vasan@gmail.com>

Joint Rule 26(f) — Word draft attached for redline; return by 6:30 pm PT

17 messages

Arjun Vasan <arjun.vasan@gmail.com>

Thu, Aug 14, 2025 at 6:24 PM

To: "Makitalo, Rebecca I." <Rebecca.Makitalo@klgates.com>, "Keech, Ryan Q." <ryan.keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

Counsel,

Attached is the Word (.docx) combined draft with your sections inserted verbatim and labeled Defendant's Position. The document is set to Track Changes. Please return a redline by 6:30 pm PT.

- Do not edit text labeled "Plaintiff's Position." If you disagree, edit your "Defendant's Position."
- Only mark "Joint" where we both confirm agreement in writing.
- If no redline arrives by 7:30 pm PT, I will file my PDF with Exhibit A (your PDF), the relevant email threads and note that you elected not to provide edits in time.

For clarity: I did not agree to waive phasing, to adopt TIFF/.dat/.lfp defaults, to a clawback that revives pre-suit waivers, or to declare the MCL "unnecessary." The report will reflect split positions on those points.

Best,

Arjun

**26f-joint-report.docx**

61K

Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>

Thu, Aug 14, 2025 at 6:34 PM

To: Arjun Vasan <arjun.vasan@gmail.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

Received, thank you. I will do my best to return edits to you as soon as possible.

Rebecca Makitalo

Associate

K&L Gates LLP

[10100 Santa Monica Blvd](#)[8th Floor](#)[Los Angeles, CA 90067](#)

Phone: 310 552-5502

Cell: 818 251-6956

rebecca.makitalo@klgates.comwww.klgates.com

From: Makitalo, Rebecca I.
Sent: Thursday, August 14, 2025 7:18 PM
To: Arjun Vasan <arjun.vasan@gmail.com>

[Quoted text hidden]

[Quoted text hidden]

Arjun Vasan <arjun.vasan@gmail.com>

Thu, Aug 14, 2025 at 9:21 PM

To: "Makitalo, Rebecca I." <Rebecca.Makitalo@klgates.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

Counsel,

You refuse to stipulate to a short stay of a family nonparty deposition pending the Rule 16 phasing order. That is disproportionate and premature given party sources (Agarwal, Bell, Myself, Rule 30(b)(6)) are available. See Rules 26(b)(1), 26(b)(2)(C), and 45(d)(1) (avoid undue nonparty burden; use less burdensome sources first).

Pursuant to C.D. Cal. Local Rule 37-1, this is my formal request to proceed by joint stipulation on a Rule 26(c) protective order staying family/investor/competitor non party depositions until after the Scheduling Conference. Please send your portion of the LR 37-2 joint stipulation within 5 days. If you decline or fail to provide your portion, I will file under LR 37-2.4 with a declaration noting your noncooperation and seek fees.

Separately, if you contend valid service occurred, confirm when/how and whether the \$40/day witness fee and mileage were tendered at service for any attendance demand. If the fee was not tendered, service is defective. See Rule 45(b)(1) and 28 U.S.C. § 1821. I also request a reasonable date to allow [Father's Name] to retain counsel.

Best,

Arjun (pro se)

[Quoted text hidden]



26f-joint-report - AV Edits - 9-03PM.pdf

313K

Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>

Thu, Aug 14, 2025 at 9:45 PM

To: Arjun Vasan <arjun.vasan@gmail.com>

Cc: "Keech, Ryan Q." <Ryan.Keech@klgates.com>, "Chiu, Stacey G." <Stacey.Chiu@klgates.com>

Mr. Vasan,

The date next to my signature block indicates August 15, 2025. If you please revise to today's date.

Thank you,

Rebecca Makitalo

Associate

K&L Gates LLP
10100 Santa Monica Blvd

8th Floor

Los Angeles, CA 90067